

REMARKS/ARGUMENTS

Applicant responds herein to the Office Action dated December 23, 2008.

Claims 23-46 were pending in the Application prior to the present Amendment. Applicants amend Claims 23, 31, 32, 40 and 43 and cancel Claims 27, 36 and 44-46. Claims 23-26, 28-35 and 37-43 remain in the Application.

Claims 23-46 were rejected under 35 U.S.C. §102(e) as being anticipated by Oom (6,738,625). Reconsideration of the rejection is respectfully requested.

Independent claim 23 recites a terminal resource control unit (see, e.g., unit 110 of Fig. 3) controlling a call signaling processing independent of the radio transmission scheme, where the terminal resource controller includes a terminal position detector (see, e.g., unit 101 of Fig. 3) “operable to detect a position of at least one mobile terminal,” a common radio resource manager (see, e.g., unit 102 of Fig. 3) “operable to manage a common radio resource,” a broadcast device (see, e.g., unit 103 of Fig. 3) “operable to control a flow of radio broadcast,” and a mobile controller (see, e.g., unit 105 of Fig. 3) “operable to control the at least one mobile terminal”. These limitations of Claim 23 are not disclosed in the cited prior art.

Oom discloses an automatic radio base station (RBS) re-homing from a first radio network controller (RNC) to a second RNC when the first RNC becomes overloaded. As shown in Fig. 1 of Oom, a radio network manager (RNM) 125 is connected to the RNC 115(1). The Examiner believes RNM 125 (possibly in combination with node 300) to be equivalent to the terminal resource controller recited in the independent claims of the present application. Further, the Examiner stated that Oom discloses that the terminal resource controller includes “terminal position detection means for detecting a terminal position; common radio resource management means for managing a common radio resource; broadcast means for broadcasting; and mobile control means for controlling at least one mobile terminal.” See, Office Action, page 6. The Examiner cites col. 5, lines 6-40, col. 7, lines 40-67, col. 8, lines 1-25, and figs. 1-4 of Oom to support his statement. However, nothing in the cited portions of Oom even suggests that either the RNM 125 or the node 300 (i.e., the elements which the Examiner believes to be equivalent to the terminal resource controller) includes a terminal position detector, a common radio resource manager, a broadcast network device or a mobile controller, as recited in Claim 23. In fact, Oom

is completely silent as to various components which may be included in the RNM 125. If the Examiner continues to insist that Oom discloses the above limitations, Applicants respectfully request the Examiner to point out specific components of either the RNM 125 or the node 300 that the Examiner believes to be equivalent to the terminal position detector, the common radio resource manager, the broadcast network device and the mobile controller.

Claim 23 is believed to be allowable over the cited prior art. Independent Claims 31, 32, 40, 41, 42 and 43 include limitations similar to the allowable Claim 23. Therefore, Claims 31, 32, 40, 41, 42 and 43 are allowable over the cited prior art at least for the same reasons as Claim 23. Finally, since each of claims 24-26, 28-30, 33-34 and 37-39 is directly dependent upon one of independent claims 23 and 32, each of claims 24-26, 28-30, 33-34 and 37-39 is allowable for the same reasons recited above with respect to the allowability of the respective one of independent claims 23 and 32.

In view of the foregoing amendments and remarks, allowance of claims 23-26, 28-35 and 37-43 is respectfully requested.

Accordingly, the Examiner is respectfully requested to reconsider the application, allow the claims as amended and pass this case to issue.

THIS CORRESPONDENCE IS BEING
SUBMITTED ELECTRONICALLY
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Respectfully submitted,



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